Student Records Policy

August 2006

NOVA SCOTIA
Education

Student Records Policy

August 2006

Student Records Policy—August 2006

Cataloguing-in-Publication Data

Main entry under title.

Student records policy / Nova Scotia. Department of Education. Student Services Division.

ISBN: 1-55457-049-2

1. Student records – Nova Scotia 2. Records retention - Nova Scotia I. Nova Scotia. Department of Education. Student Services Division.

651.5042 – dc22 2006

2007-05254/

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Note: In this Policy, words in the singular include the plural and vice versa where the context requires.

Introduction

- The Department of Education acknowledges that all student records are in the custody and under the control of school boards; school boards are the trustees of student records in Nova Scotia.
- The Department of Education recognizes that effective student records management is of considerable importance to students, parents, teachers, counsellors, administrators, and school board officials. Ensuring the integrity of student records is important to the public of Nova Scotia.
- The Department of Education acknowledges that implementing a student records policy, which sets a standard for student records management, is the most effective way of ensuring that all student records are well maintained, contain accurate, complete, and up-to-date information, and are in compliance with all relevant acts and regulations.
- A province-wide student records policy is also the most effective way of ensuring efficient student record transfers within the public school system of Nova Scotia and outside the province.

Policy Statement

This policy provides clear direction to all school boards, public schools, principals, and school educational/administrative staff regarding their roles and responsibilities for the completion, access, correction or removal of information, security, maintenance, storage, transfer, retention, and destruction of student records.

Purpose

- All student records management must be conducted in a consistent, efficient, effective, accurate, and accountable manner. All public schools need to keep accurate, well maintained, and up-to-date information for all students.
- Student records are vitally important to ensure the smooth transition of a student through the public school system. Consistent student records management across all schools and school boards will facilitate student records transfer as students progress through their public school education.
- The information collected and maintained in student records is used to assist students through the charting of their educational progress, in addressing educational issues of programming and placement, and in planning academic programs and careers. Compliance with the Education Act, the Freedom of Information and Protection of Privacy (FOIPOP) Act, and the Youth Criminal Justice Act (YCJA) must be ensured. This policy is subject to those statutes.
- Student record management is governed by the security, access, transfer, and retention and destruction provisions outlined in this policy.

Application

- This policy applies to all public schools and school boards in Nova Scotia, under the Education Act.
- This policy replaces the *Nova Scotia Student Cumulative Record Folder Completion Instructions Guidelines* (1988).
- This policy does not apply to other information such as teacher notes, private counselling notes, student portfolios, student assignments or other informal records or to specific information not related to a student's educational programming and services. Other records containing the aforementioned information are not included in the scope of this policy although they are possibly subject to the provisions of the FOIPOP Act and other legislation.

Definitions

In this policy,

- **attendance record** means a record of actual days or periods (when appropriate) the student has been present and includes a summary of all days or periods the student has been absent
- **confidential record** means all the recorded information related to the student's educational programming that is judged to be highly sensitive, as determined under this policy or as determined by the school principal or the principal's designate
- **cumulative record** means the recorded information related to a student's educational progress that is not placed in the student confidential record
- **parent** means the parent, guardian, or other person in place of the parent, who is legally responsible for the care and custody of a student
- **personal information** means personal information as defined in the Freedom of Information and Protection of Privacy (FOIPOP) Act
- **school boards** means the Annapolis Valley Regional School Board, the Cape Breton-Victoria Regional School Board, the Chignecto-Central Regional School Board, the Conseil scolaire acadien provincial, the Halifax Regional School Board, the South Shore Regional School Board, the Strait Regional School Board, and the Tri-County Regional School Board
- **student record** means the student's cumulative record, and where applicable, the student's confidential record, and the youth criminal justice record; for the purposes of this policy, a student record may exist in paper or electronic format
- **student records management** means the procedures related to the creation, collection, distribution and use (including access and transfer), updating, protection, organization, storage, maintenance and retention, and closure of the student records
- **superintendent** means the superintendent of schools appointed by a school board
- **youth criminal justice record** means all recorded information pertaining to the federal Youth Criminal Justice Act (YCJA) and services or programs from the criminal justice system in which a student is identified
- **YCJA Process**—see Appendix E

Policy Directives

(i) Records

Cumulative Record

A **cumulative record** must be opened, following registration, on a timely basis. It must contain the ongoing record of a student's progress related to educational programming. The cumulative record contains specific information for each year of the student's schooling that directly relates to educational programming, services, and progress that has not been designated by the principal as information required to be placed in the student confidential record.

Confidential Record

A **confidential record** must be opened immediately when information that is judged to be highly sensitive, as determined by school principal or designate, is acquired. The confidential record must be kept in a separate student file. The existence of the confidential record must be noted on the cumulative record.

Youth Criminal Justice Record

A **youth criminal justice record** must be opened immediately upon receiving or creating a record that identifies a student in any relation to the YCJA, programs, or services. This record must be kept in a secure location and separate from the cumulative record and the confidential record. No reference to this record may be made in the other student records. The principal or designate is responsible for maintaining security, informing appropriate staff of the existence of this record, and adhering to the principles of transfer in this policy. The principal, or designate, is also responsible for destroying, in a secure manner, the youth criminal justice record at the time indicated on the youth criminal justice record.

Non-disclosure of Youth Criminal Justice Records

Despite the provisions in the FOIPOP Act that protect personal information, the provisions in the YCJA that safeguard the disclosure of information concerning young persons override those FOIPOP protection provisions. School personnel responsible for student records management should always be very aware of these privacy and non-disclosure provisions.

(ii) Content

The **cumulative record must** contain the following:

- completed identification block with complete legal name; legal documentation must be presented to the school (see Appendix A, Identification Block)
- attendance record
- dates of enrolment, transfer, withdrawal, and graduation
- identification of services provided by school and board
- record of academic progress (all student report cards)
- pertinent medical information that directly affects the educational programming, health, and safety of the individual or others
- indication of any other files held by the school that relate to the student (except the youth criminal justice record)
- transcripts

The **cumulative record must** contain the following, if applicable:

- Literacy Support Plan
- Reading Recovery™ entry and exit dates, and exit status
- individualized program plans (IPPs)
- record of adaptations (see Policy 2.2, *Special Education Policy Manual*)
- custody documents
- legal documents pertaining to legal name change

The **cumulative record may** also contain, subject to board policy, the following, when appropriate:

- referrals, reports, parental consent forms and correspondence to and from the board and outside service providers not deemed to be sensitive or not required to be included in the confidential record
- documentation supporting foreign students
- student participation in extracurricular activities written in the comment section
- current photograph of student

The **student confidential record must** contain the following, if applicable:

- psychological, psychiatric, psycho-educational, psycho-social, and formal speech-language assessment reports
- confidential case conference reports, both from within the school system and from agencies outside the school system
- third-party information, from an outside agency or professional (who is a recognized service provider and not employed by the school board), such as assessments from Family and Children's Services, psychologists, mental health clinicians, hearing and speech clinicians, occupational therapists, physiotherapists, medical doctors, and social workers, including referrals, reports, correspondence, and informed consent from parent(s)
- Individual Program Planning Team meeting notes and related confidential information
- notices relating to student suspension (Suspension notices under five days should be destroyed after six years. Suspension notices for five days or more for severely disruptive behaviour are kept during the student's enrolment in the public school system.)

The **youth criminal justice record** may include the following:

- court documents including probation documents
- restorative justice plans or plans describing extrajudicial measures
- all case conference notes and notes pertaining to extrajudicial measures under the YCJA
- all other records in which a student is identified as being investigated or convicted or as receiving programs or services under this Act

(iii) Access and Transfer

Access to Student Records

For clarification concerning access to student records and the related process refer to Appendix E in this document.

When access is considered on a "need to know" basis, need to know is determined by relevancy for delivery of programming and provision of services and safety and security of students, staff, and members of the school community.

When access is requested through a search warrant, school principals should follow the board's policy.

Subject to board policy, information (not student records) about any student in relation to an alleged offence should be provided to law enforcement agencies if the school principal is satisfied that the law enforcement agency has provided evidence that it is investigating an incident, or series of incidents, that involves a violation of law and from which charges may be laid. Provision of student records should only be provided in accordance with Appendix E.

Boards should make sure all schools have copies of the FOIPOP consent form for access requests through the FOIPOP process. The "head" of the school board designated pursuant to the FOIPOP Act may delegate power to school principals relating to the FOIPOP process, which is specifically limited to confidential records. When such power is delegated for confidential records school principals will require appropriate training.

Upon receipt of a subpoena, legal advice should be sought by the individual who receives the subpoena. If and when records are provided under a subpoena to a legal proceeding, a complete copy of the records will be retained by the school until the original file is returned. Upon return of the original, the file copy of the student records should be shredded in a secure manner.

Location Requirements for Access by Viewing to Student Records

A school board in carrying out its role in having custody and control of student records must ensure the original student records not be removed from the school's record keeping system or database with the exception of when a student record has been transferred, subpoenaed for a court hearing, or when it is required by the Minister or representative of the Minister or the superintendent or representative of the superintendent as authorized under the Education Act. When a school board has decided to give access by viewing to student records, the school board must limit the viewing to the school board premises.

Transfer of Student Records

See Appendices B and C.

Transfer of Youth Criminal Justice Record

In the event a young person currently under the provision of the YCJA transfers from a school, the school principal will notify the Director of Community Corrections, Department of Justice, and request direction as to the transfer of the YCJA Record. Further disclosure of the YCJA Record will be in accordance with the YCJA and Department of Justice policies, procedures, and practices.

Transfer of Cumulative and Confidential Record

Within Province—Public Schools

When a student transfers to another public school in Nova Scotia (one that is not their feeder school), it is necessary for programming that the cumulative and any confidential record be provided to the new school. Upon receipt of a completed Request for Transfer of Student Records (Appendix B), the original school must retain a copy of the cumulative and any confidential record. The school sends the original(s) or transfers the data electronically to the requesting public school. Upon receipt of acknowledgement that the cumulative and any confidential record was received (Appendix C), the student's previous school must securely shred the photocopies or delete electronic records subject to school board records retention schedules. If appropriate written consent for the transfer cannot be obtained from the parent through reasonable efforts, the principal should seek advice from the board's central administration regarding the transfer of the cumulative and any confidential record.

Within Province—Non-Public Schools, Agencies, or Organizations

Upon receipt of a written request for a cumulative and any confidential record or specific parts, accompanied by a consent form signed by student's parent(s), the school must print the cumulative and any confidential record, retain the originals, and send the printed or photocopied record to the requesting non-public school, agency, or organization.

Out-of-Province Public and Non-Public Schools, Agencies and Organizations

The same procedure is to be followed as stated in "Within Province—Non-Public Schools, Agencies, or Organizations."

Judicial Process

Upon receipt of a subpoena, or court order, subject to the advice from appropriate senior board staff and legal advisors for the board, the original student record will be provided through the appropriate process. Schools are required to maintain a copy of the student record until the originals are returned.

Security of Transfer of Student Records

A school board must ensure that a school transfers student records in a secure manner such as board internal mail, secure electronic transfer, or a secure public or private mail service. Schools must track where and to whom the parts of the student record have been sent.

(iv) Maintenance and Retention

Secure Storage

Student records and any and all copies must be maintained with a high degree of security to avoid unauthorized access, use, alteration, disclosure, or disposal. The FOIPOP Act contains provisions regulating the security of personal information.

Student records of students who have graduated, left school without graduating, or transferred out of the province or public school system will be maintained with the same level of security as the student records of students currently in attendance.

Responsibility for Student Records Management

The principal has responsibility for all student records management for their respective school including the following:

- making every reasonable effort to ensure that the information is accurate and up to date
- ensuring that each student has a cumulative record and, whenever necessary, a confidential record and youth criminal justice record
- providing storage and ensuring security of the student records
- ensuring that any student who transfers into the school has a student record
- ensuring that all students who transfer out of the school have a current and complete student record to provide to the receiving school.

The principal may assign tasks for student records management to school professional staff but retains responsibility. Clerical staff, at the discretion of the principal, may enter the requisite information in the demographic block of the student cumulative record. All such staff should have access to, and familiarity with, all provisions of this policy.

Opening, Closing, and Completion of the Cumulative Record

When a cumulative record is opened, the date of entry must reflect the first date the student attended the school. All student withdrawals from the school must also be entered on the student cumulative record in the comments section. The student record may be closed following a reasonable period determined by the principal and so noted in the comments section. At the discretion of the principal and based upon the student's circumstances, a student record may be closed and reopened numerous times, with a requisite notation.

Inserts into the Cumulative Record

During the school year, all student report cards must be entered in the cumulative records.

At graduation or when the student withdraws, a copy of the transcript must be entered into the cumulative record.

As set down in the *Special Education Policy*, individualized program plans (IPPs) identifying annual individual outcomes and specific individual outcomes must be documented, placed, and kept in the cumulative record. **The IPP from each year must be retained in the student record.** Specific adaptations must be documented in the student record.

Changes or Corrections to the Student Record

Subject to the FOIPOP Act, a student record may be changed or corrected as set down in this policy.

All requests for change or correction to the student record must be made in writing to the principal.

If a student (current or former), a parent, or school professional staff requests a change or correction to the student record, the following procedure will apply:

- if the principal decides the student record or part of the student record is inaccurate, the change is made and a record of the change is kept (In some instances, another law may prohibit access to the information recorded prior to the change, e.g., the Children and Family Services Act and the Adoption Information Act does not permit maintaining a record with a birth name and an adoptive name on the same file. In this instance, either a new file will have to be created under the adoptive name or any reference to the birth name will have to be deleted from the file.)
- if the principal decides the student record or part of the student record is accurate, no change is made, but a notation is made in the file of the request
- if the principal decides the student record or part of the student record was accurately recorded but there is a subsequent variation in circumstances to render the student record or part of the student record inaccurate from that time on, the student record or part of the student record is changed at the time of identifying the inaccuracy and a record of the request for a change is kept

Name changes must be accompanied by legal documentation. A photocopy of the legal documentation must be placed in the cumulative record.

Where a third party requests information from the student's record in relation to changes or corrections, the principal shall, subject to the FOIPOP Act, YCJA, or any other applicable laws only provide such information from the record to which the student has provided written consent.

Appeal Procedure for Changes or Corrections

With respect to changes or corrections of a student record, a student or the student's parent may, in writing, refer the matter to the superintendent of the school board if they do not agree with the principal's decision. The superintendent or designate will request the Regional Education Officer review the request, make a final and binding decision according to this policy, and inform the participants accordingly. In accordance with Section 32 of the FOIPOP Act, if the individual is not satisfied with the decision, he or she should be advised in writing that they have the right to request a review of the decision by the FOIPOP Review Officer under the FOIPOP Act or they may appeal the decision to the Supreme Court of Nova Scotia.

Other Forms of Media Regarding Student Records

Student records or any part of student records may be micro-recorded or recorded and stored electronically in a manner that permits the printing of a clear and legible reproduction which should be undertaken only when required. A school board may record student records electronically for safe long-term preservation. Any conversion of paper records to alternate format must consider that future access is ensured in light of technology changes.

Prior to long-term electronic retention of student records, a school board should consider whether original documents, particularly documents containing signatures, should be recorded electronically.

Any micro-recording, electronic file, image, digital reproduction, or other reproduction or facsimile of a student record is subject to the security and access requirements applicable to the original student record.

Accidental Loss or Destruction of Cumulative and Confidential Records

In the event of accidental loss or destruction of a cumulative or confidential record of a student currently enrolled, a replacement student record must be opened immediately. The principal or designate must ensure that the parent(s) of the student receive written notification of the loss of the student record in a timely manner. A notation indicating that the previous student record has been lost or destroyed must be noted on the new student record. The replacement record must contain a copy of the written notification of the accidental loss or destruction provided to the parent(s) and student.

In the event of accidental loss or destruction of a cumulative or confidential record of a former student (within 25 years of the student's graduation or departure from the school), and upon written request from the former student, a replacement record may be made with information readily available from other sources, with the notation that the record is a replacement including the circumstances related to the loss or destruction.

Accidental Loss or Destruction of Youth Criminal Justice Records

In the event of accidental loss or destruction of any youth criminal justice records, the Director of Community Corrections, Department of Justice, must be notified immediately, who will then direct a course of action.

Retention of Cumulative and Confidential Records

As outlined in the Education Act [Section 63 (2) (e) and (f)], school boards may not authorize the destruction of records related to school attendance and student progress found in student cumulative records or in student confidential records.

School boards must protect student records and ensure that personal information contained is safe-guarded even with long-term storage. Long-term storage does not apply to youth criminal justice records (see Appendix F).

Retention and Destruction of Youth Criminal Justice Records

Youth Criminal Justice Records should be retained and destroyed in accordance with Section 119 (2) clause 125 (7) (c) and Section 128 of the YCJA. If the retention and destruction periods are not noted on the record, principals should consult with the Director of Community Corrections, Department of Justice.

Accountability

- Principals are accountable to their superintendent for compliance with this policy.
- Superintendents of school boards in Nova Scotia are expected to take direction from this policy in accordance with the Education Act section 68 (1), and with respect to student records management, section 26 (1) (q) and (s), section 63 (1) (e) and (f), and respect to confidentiality of information, section 146 (1) (y).
- School boards are accountable to the Minister of Education for compliance with this policy.

Monitoring

- From time to time the Minister of Education may audit school boards' and schools' compliance with this policy.
- The Minister may delegate this responsibility to a senior official such as the Senior Executive Director of the Public Schools Branch, another senior official within the Department of Education, or their designate.
- The Senior Executive Director of the Public Schools Branch or designate must consult with the school board concerning an auditing procedure or process for this policy. A third party audit may be considered upon mutual consent of the Minister and the school board superintendent.

Policy Guidelines

(i) School boards may develop standard formats for confidential and youth criminal justice records, ensuring that all relevant information is captured and that security, privacy, and non-disclosure provisions are maintained.

(ii) School boards should provide ongoing training and guidance to school board staff, principals, and school staff concerning this policy.

(iii) School boards should provide training and guidance to principals and school staff concerning the FOIPOP Act and the YCJA and how both acts pertain to student records management in Nova Scotia.

(iv) School boards may provide information and training to School Advisory Councils with respect to this policy.

(v) School boards may develop policies outlining student records appeal procedures.

(vi) This policy is subject to revision, as needed, from time to time.

References

Legislation

Province of Nova Scotia

- Adoption Information Act, S.N.S. 1996, c. 3, s. 1
- Children and Family Services Act, S.N.S. 1990, c. 5 as amended.
- Education Act, S.N.S. 1995-96, c. 1 as amended.
- Education Act Regulations, including any and all regulations issued under the authority of the Education Act, S.N.S. 1995-96, c. 1.
- Freedom of Information and Protection of Privacy Act, S.N.S. 1993, c. 5 as amended.

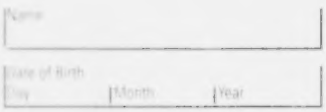
Federal

- Youth Criminal Justice Act, S. C. 2002, c. 1.

Appendix A: Completion Instructions for Student Cumulative Records (1988)

Entries are to be made in ink. Sticky notes must not be used. The following are the completion instructions for student cumulative records:

Identification Block

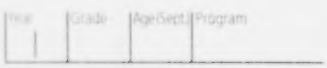


This section is on each page of the record. It is to be filled in on each page. Note: The complete legal name is required; the surname first, followed by the given names. The name to be used is the one that appears on the birth certificate or other legal document. The name by which the child is known should be underlined, e.g., Smith: Pat Allison. If a nickname is used, place it in brackets, e.g., (Allie).

Medical Alert

This area is designed to facilitate rapid identification of medical conditions. The Medical Alert section consists of a cross within a circle in the upper right hand corner. In a case where a student has a significant medical condition, the cross must be coloured **red**. The student cumulative record must be stored in such a manner that the Medical Alert section is immediately visible.

Column Heading



This section appears at the head of each column.

Year: school year, to be recorded 02/03, 03/04, etc.

Grade: refers to the grade in which the student is registered

Age (Sept.): the age that the student has attained as of September 30 of the present school year

Program: records the program in which the student is registered, e.g., regular, French Immersion, etc. Students who have not met the outcomes of the regular school curriculum must have an individual program plan (IPP). The use of an IPP must be noted in the Program block. A copy of the IPP must be stored in the student cumulative record and updated on a yearly basis. In addition, progress notes on the IPP must be included in the folder. If a student requires adaptations to meet the outcomes of the regular curriculum, the adaptations must be recorded in the student cumulative record.

Demographic Block

Home Address	Complete postal address (include postal code)
Resides with (Name)	Name of the person with whom the student resides, if any (use complete name and title, i.e., Mr., Mrs., Ms., Dr., Rev., etc.)
Relationship (phone)	Relationship, to the student, of the person with whom the student resides, e.g., parent, foster parent, relative, friend (include the phone number)
Legal Guardian (phone)	This block is to be filled in when the legal guardian is different from the person with whom the student resides (include the phone number; if it is the same, print "as above" in this space)
Name of School	Name of the school the student currently attends
Name of Home Room Teacher	Name of the student's present home room teacher
Name of Previous School and Board	Name of school from which the student transferred
Date of Entry	Date that the student began classes in the present school
Speech and/or Learning Difficulties	Any speech and/or learning difficulties should be briefly noted; descriptions of assessment and assistance to be described in greater detail on the Standardized Tests page of the cumulative record
Vision/Hearing	Any known vision and/or hearing conditions should be recorded in this block; results of screening tests done should be briefly noted and greater detail is to be provided on Standardized Tests area in the Individual Assessment section
Chronic Conditions	Ongoing medical conditions possibly affecting the student's performance in school, e.g., asthma, epilepsy, diabetes, etc. (details are to be supplied in an insert in the cumulative record; significant medical conditions must also be flagged via completion of the Medical Alert section of the student cumulative record)
Medication	Medications that could possibly affect a student's performance in school and/or that are administered during the school day
Disabilities	Physical or mental disabilities as diagnosed by appropriate personnel (details may be supplied on an insert in the student cumulative record)

Accidents or Serious Illness

Acute and/or chronic medical conditions that may affect student performance and progress in school

Counsellor and Interview Date

Indicates that student has seen the guidance counsellor(s) for interview

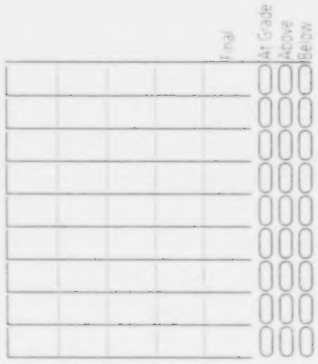
Days Absent/Present

To be completed at the end of the school year; if there is excessive loss of time, indicate the reasons; long absences (over five days) should be explained, e.g., hospitalized, extended family vacation, etc.

Course Block: Elementary

Course
Language Arts
Math
Social Studies
Science
Music
Art
French
Health
Physical Education

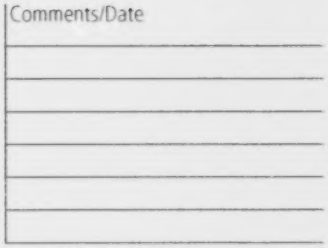
Spaces are provided for elementary courses described in the *Public School Programs*. Two blank spaces are provided for teachers to insert other courses approved by the Minister.



This section of the student cumulative record must be completed in accordance with school board/provincial policy on assessment, evaluation, and reporting. Users will note that in the section devoted to marks there are five spaces per course. Letter and/or number marks must be used in accordance with regional/provincial policy.

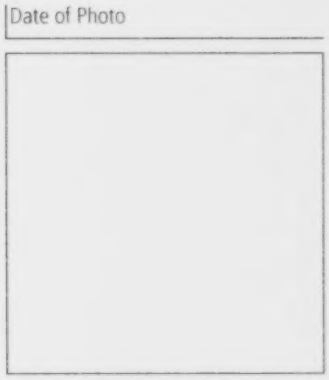
Especially important in this section are the oblong spaces indicating the level which the student has achieved: at, above, or below grade level. Users shall ensure that the appropriate space is darkened to indicate the level which the student has achieved by the end of the school year. This is particularly important for decision making regarding future programs for the student.

Comments Block



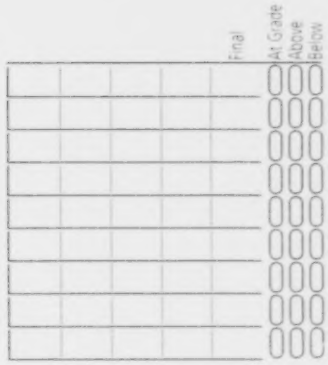
This section appears at all school levels. In elementary and junior high, it is found in columns separated by year; in senior high, comments will be made on the five full-width lines. At year-end or semester-end, a summary of student progress may be noted in this section, including: promotion/retention; academic difficulties/ excellence; future program recommendations; transition/transfer to new schools. Entries in this section must be dated.

Photograph Section



Each of the three levels of elementary, junior high, and senior high has a space for a photograph. The date must be filled in to identify when the photograph was taken.

Course Block: Junior High School



Again, there are five mark spaces per course and the **at**, **above**, or **below** grade level oblongs must be filled in.

Course Block: Senior High School

Courses with provincial identification coding must be filled in here. There are five mark spaces per course. Users will note that there are **two** course columns. Courses must be noted in the order in which they are taken by the student in grades 10, 11, and 12. For each course there is a block to indicate whether credit has been received. If the student has received a credit, use a check mark (✓); if not, indicate with a dash (–). Running totals may be calculated at the end of each year by the use of one of the lines in the course block. There are spaces for 41 courses. At the end of the course block there is a space for total accumulated credits.

Standardized Tests

Individual Assessment

Date of Referral	Reason for Referral	Referred to Worker/Agency	Assessment Date	Report Retained (Date)	Report Retained by	Comments

Individual Assessment: This section serves as an indicator that formal individualized assessment has been completed. Written, informed parental consent is required for **any** formal individualized assessment. Students and parents have the right to access copies of reports upon request. Assessment reports must be stored in a student confidential record.

Date of Referral: Date that formal referral is made to worker/agency

Reason for Referral: This section need not be completed, since this information will be recorded in the assessment reports

Referred to Worker/Agency: This space is used to identify the person or agency that did the assessment

Assessment Date: Date(s) that the assessment was completed and noted on the report

Report Received: Date that the assessment report was received by the referring person/agency

Report Retained By: Identify location(s) of report; e.g., school or board offices or both. If a student confidential record exists, the yellow insert form must be included in the cumulative record. All student records are to be stored by the principal and/or designate in a secure area, with access granted according to these guidelines.

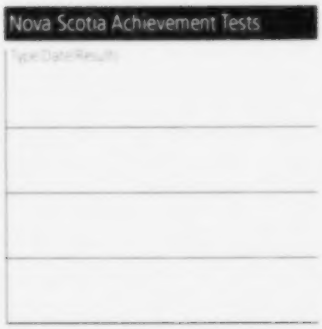
Comments: This section may be used to elaborate on the particulars of the assessment, e.g., assessment completed during a series of sessions as opposed to one date, location, etc.

Individual Educational Assistance

Individual Educational Assistance	
Type/Date/Results	Type/Date/Results

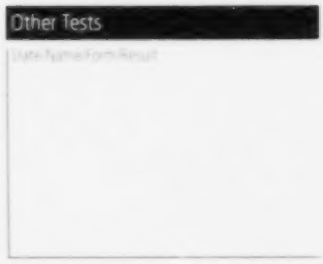
This section records specialized, individual assistance given to a student throughout the school year. Examples include Reading Recovery™, resource support, student program assistant support, peer tutoring, etc. All entries must be dated.

Nova Scotia Achievement Tests



No longer applicable

Other Tests



This section records other standardized tests. The date, test, title, form of test, and results may be recorded here. These may include aptitude, interest, or achievement tests.

Appendix B: Request for Transfer of Student Records (2006)

Student Information

Student name: _____

Date of birth: _____ Provincial student number: _____
DD/MM/YYYY

I would like to request the following student records:

Type of student record: ☐ Cumulative record
☐ Confidential record

Student records to be transferred from:

School name: _____

School address: _____

Student records to be transferred to:

School name: _____

School address: _____

To the attention of: _____

Title: _____

Student records requested by:

Name (please print): _____

Title/relationship to student: _____

Signature:

Name of parent/guardian (please print): _____

Parent/guardian signature: _____ Date: _____
DD/MM/YYYY

A PDF version of this form is available at <www.EDnet.ns.ca> in the Student Services section of the Document Depot.

Appendix C: Acknowledgment of Receipt of a Student Record (2006)

This form must be completed in duplicate by the school sending the student record and must be verified by the school receiving the record. Each school retains one copy.

This is to certify that the indicated student records for the following students have been received.

Student Information:

Student name: _____

Provincial student number: _____

Type of student record: ☐ Cumulative record
☐ Confidential record

Name(s) of parent(s)/guardian(s): _____

Student Record transferred from:

School name: _____

School address: _____

School authorized signature: _____

Date records were transferred: _____
DD/MM/YYYY

Student Record transferred to:

School name: _____

School address: _____

School authorized signature: _____

Date records were received: _____
DD/MM/YYYY

Please acknowledge receipt by returning a signed copy of this form to the originating school.

A PDF version of this form is available at <www.EDnet.ns.ca> in the Student Services section of the Document Depot.

Appendix D: Consent to Photocopy a Student Record (2006)

Student Information:

Student name: _____

Date of birth: _____ Provincial student number: _____
DD/MM/YYYY

I hereby request a photocopy of the following information (please be specific):

_____

_____

_____

Student records requested by:

Name (please print): _____

Relationship to student: _____

Signature: _____

Signature for consent by parent/guardian: _____

Date that the photocopies were requested: _____
DD/MM/YYYY

Student records copied:

Authorized school signature: _____

Date that the photocopies were completed: _____
DD/MM/YYYY

Note: any costs for copying are the responsibility of the person making the request.

A PDF version of this form is available at <www.EDnet.ns.ca> in the Student Services section of the Document Depot.

Appendix E: Access to Student Records* (2006)

Type of Record	Access by Whom	Process	Authority
Cumulative record	Student under 19 years	No consent required	Subsection 5 (3) FOIPOP Act
	Student over 19 years	No consent required	Subsection 5 (3) FOIPOP Act
	Parent of students under 19 years	No consent required if in the care of that parent	Subsection 5 (3) FOIPOP Act
	Parent of students over 19 years	Consent of student required	Clauses 27 (a) and (b) FOIPOP Act
	Student's teacher	Where necessary for his or her work	Clauses 26 (c) and 27 (f) FOIPOP Act
	Any teacher in the same school	Where necessary for his or her work	Clauses 26 (c) and 27 (f) FOIPOP Act
	Specialist teacher, APSEA teacher, guidance counsellor, student services personnel	Where necessary for his or her work	Subsection 5 (3) FOIPOP Act for APSEA Teachers; clauses 26 (c) and 27 (f) FOIPOP Act for others
	Third party (student's legal counsel)	Consent of parent if child in care of that parent and under 19 years. If student is over 19 years, or not in care of that parent, consent of student.	Clause 27 (b) FOIPOP Act
	Law enforcement agencies	Search warrant or with explanation of lawful investigation purposes: information exchange agreement	Sections 110–129 YCJA; clauses 27 (d) and (m) FOIPOP Act
	All other third parties	Written consent of parent if child in care of that parent and under 19 years. If student is over 19 years, or not in care of that parent, written consent of student; subpoena, FOIPOP process or advice of board legal counsel.	Clauses 43 (d), 20 (4) (a), 27 (a), (b), and (e) FOIPOP Act

Type of Record	Access by Whom	Process	Authority
Confidential record	Student under 19 years	FOIPOP process	Clause 27 (a) FOIPOP Act
	Student over 19 years	FOIPOP process	Clause 27 (a) FOIPOP Act
	Parent of students under 19 years	FOIPOP process	Clause 27 (a) FOIPOP Act
	Parent of students over 19 years	FOIPOP process including written consent of student	Clauses 20 (4) (a) and 27 (a) FOIPOP Act
	Student's teacher	The principal considers "need to know" and provides access as appropriate	Clause 27 (f) FOIPOP Act
	Any teacher in the same school	The principal considers "need to know" and provides access as appropriate	Clauses 26 (c) and 27 (f) FOIPOP Act
	Specialist teacher, APSEA teacher, guidance counsellor, student services personnel	The principal considers "need to know" and provides access as appropriate	For APSEA, Teachers subsection 5 (3) FOIPOP Act; for others clauses 26 (c) and 27 (f) FOIPOP Act
	Third party (student's legal counsel)	FOIPOP process including written consent of both student and parent if child is under 19 years and in the care of the parent; the student if the student is over 19 years, or not in care of the parent.	Clauses 27 (a) and 20 (4) (a) FOIPOP Act
	Law enforcement agencies	Search warrant or with explanation of lawful investigation purposes: information exchange agreement	Sections 110–129 YCJA; clauses 27 (d) and (m) FOIPOP Act

Type of Record	Access by Whom	Process	Authority
Confidential record (continued)	All other third parties	Subpoena; FOIPOP process unless a copy of the record has been provided to the parent or student previously and parent or student who has previously received the record has consented in writing, or advice of board legal counsel	Clauses 27 (a), (b), and (e) FOIPOP Act; subsection 5 (3) FOIPOP Act; clause 20 (4) (a) FOIPOP Act
Youth criminal justice record	Student under 19 years	YCJA process**	Sections 110–129 YCJA
	Student over 19 years	YCJA process	Sections 110–129 YCJA
	Parent of students under 19 years	YCJA process	Sections 110–129 YCJA
	Parent of students over 19 years	YCJA process	Sections 110–129 YCJA
	Student's teacher	The principal considers "need to know" under Section 125 (6) (a) (b) (c) of YCJA and provides access as appropriate	Sections 110–129 YCJA
	Any teacher	The principal considers "need to know" under Section 125 (6) (a) (b) (c) of YCJA and provides access as appropriate	Sections 110–129 YCJA
	Specialist teacher, APSEA teacher, guidance counsellor, student services personnel	The principal considers "need to know" under Section 125 (6) (a) (b) (c) of YCJA and provides access as appropriate	Sections 110–129 YCJA
	Third party (student's legal counsel)	YCJA process	Sections 110–129 YCJA
	All other third parties	YCJA process	Sections 110–129 YCJA

Type of Record	Access by Whom	Process	Authority
Student record (all) or specific parts requested	Law enforcement agencies	Search warrant or with explanation of lawful investigation purposes: information exchange agreement	Sections 110–129 YCJA; clauses 27 (d) & (m) FOIPOP Act
	Officer designated under the Children and Family Services Act (CFSA)	With proper identification	Sections 110–129 YCJA
	Minister of Education or designate	By written request to the superintendent	Sections 110–129 YCJA
	Superintendent or designated school board officials	By request from the superintendent to the principal	Sections 110–129 YCJA

* See Access and Transfer on page 8 of this document for the provisions governing the references to this appendix. For clarity board staff are encouraged to consult with the board official responsible for the applicable legislation.

** The YCJA process requires a formal request in writing to Community Corrections, Correctional Services Division, N.S. Department of Justice. Access to YCJA records, or information contained in the records "that would identify the young person to whom it relates," is restricted to those authorized to receive access to such records under the YCJA. These persons include the offender, his parents under certain circumstances, the offenders counsel, and others specifically authorized. The only exception to the requirement to follow this process is where the school board, school, or other educational or training institution has determined that disclosure is necessary to ensure the safety of staff, students, or other persons ..." In such cases, the municipal police service or the RCMP as well as Community Corrections should be notified immediately. ONLY if these agencies are unable to act upon the matter, and the danger to the safety of staff, students, or other persons, is imminent and the situation is an emergency, may "other persons" be notified to ensure public safety.

Appendix F: Youth Criminal Justice Record Considerations

Schools or school boards may obtain information related to section 125 (6), (7), and (8) of the YCJA, which states the following:

125 (6) The provincial director, a youth worker, the Attorney General, a peace officer, or any other person engaged in the provision of services to young persons may disclose to any professional or other person engaged in the supervision or care of a young person—including a representative of any school board or school or any other educational or training institution—any information contained in a record kept under sections 114 to 116 if the disclosure is necessary in information contained in a record if the disclosure is necessary

(a) to ensure compliance by the young person with an authorization under section 91 or an order of the youth justice court;

(b) to ensure the safety of staff, students or other persons; or

(c) to facilitate the rehabilitation of a young person.

125 (7) A person to whom information is disclosed under subsection (6) shall

(a) keep information separate from any other record of the young person to whom the information relates;

(b) ensure that no other person has access to the information except if authorized under this Act, or if necessary for the purposes of subsection (6); and

(c) destroy their copy of the record when the information is no longer required for the purpose for which it was disclosed.

125 (8) No information may be disclosed under this section after the end of the applicable period set out in subsection 119 (2) (period of access to records).